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MEMO ENDORSED

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(Original via regular first class mail)

Hon. Justice Charles L. Brieant
 US District Court South District
 US Court House, Room 275
 300 Quarropas Street
 White Plains, NY 10601

Re: **Martinez, Jose & Muguia, Maria v. Primiano**
 DA: 9-3-2004
 07 Cv. 7732 (CLB) (MDF)
 Matter No.: 12360-001

Dear Justice Brieant:

The above mentioned matter has been settled between the respective parties. Since three of the defendants are infants, Justice Fox indicated if the case was settled, the court would issue an order transferring the matter to the state court for the infants' compromise.

The purpose of this correspondence is to determine from the court what procedure is applicable for finalizing the settlement.

I have also contacted the attorney of record in Pennsylvania and they are prepared to file the Petition to Compromise the Minor's Actions with Philadelphia Orphans Court, the residence of the infants.

Very truly yours,

Max D. Leifer

MDL/yk

cc: Mr. Buratti, Esq. via fax transmittal (914) 375-4168.

This action is discontinued in the state court and no approval to reopen of the state court is needed. So ORDERED. Charles Brieant. November 29, 2007.